

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 11-20188

vs.

HON. GEORGE CARAM STEEH

D-4 FRANK HARPER,

Defendant.

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ORDER DENYING DEFENDANT'S MOTION  
FOR CERTIFICATE OF APPEALABILITY [DOC 298]

This matter comes before the court on defendant Frank Harper's motion for certificate of appealability under 28 U.S.C. § 2253(c) and 28 U.S.C. § 2255. On February 8, 2018, this court entered its Order Denying Defendant's Motion to Vacate, Set Aside or Correct His Sentence Under 28 U.S.C. § 2255 but did not issue or deny a certificate of appealability as it is required to do pursuant to Rule 11(a) of the Rules Governing Section 2255 Proceedings for the United States District Courts. A certificate of appealability may issue "only if the applicant has made a substantial showing of the denial of a constitutional right." 28 U.S.C. § 2253(c)(2).

Defendant in this case has made no such showing. For this reason, a certificate of appealability is DENIED.

So ordered.

Dated: March 9, 2018

s/George Caram Steeh  
GEORGE CARAM STEEH  
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on  
March 9, 2018, by electronic and/or ordinary mail.

s/Marcia Beauchemin  
Deputy Clerk